



City of Marietta

Meeting Minutes

COMMITTEE OF THE WHOLE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Grif Chalfant, Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, May 11, 2009

5:15 PM

4th Floor Conference Room

Presiding: William B. Dunaway

Present: Philip M. Goldstein, Rev. Anthony Coleman, Holly Walquist, Grif Chalfant, Annette Lewis and Van Pearlberg

Absent: Jim King

Also Present:

William F. Bruton, Jr. City Manager

Douglas Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 5:17 p.m.

MINUTES:

20090398 Regular Meeting - April 13, 2009

Review and approval of the April 13, 2009 regular meeting minutes.

A motion was made by Council member Walquist, seconded by Council member Lewis, that this matter be Approved. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

BUSINESS:

20090449 BLW Report

Council member Jim King gives the BLW Report of their meeting of Monday, May 11, 2009.

Mayor Dunaway reported on the actions of the Board of Lights and Water at their May 11, 2009 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the May 11, 2009 regular Board of Lights and Water meeting minutes for details.)

The BLW Actions of May 11, 2009 would be approved with the exception of agenda item 20090412, the resolution adopting the Annual Budget for the fiscal year ending June 30, 2010 for the Marietta Board of Lights and Water. This matter would be tabled until the next regular City Council meeting.

This matter was Reported.

20090396 GMA Annual Conference - June 20-23, 2009

Motion to approve travel and training expenses for the Mayor and Council members who wish to attend the Georgia Municipal Association (GMA) 2009 Annual Convention in Savannah, GA June 20-23, 2009.

A motion was made by Council member Goldstein, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20090397 GMA Voting Delegates for the 2009 Annual Convention

Appointment of a voting delegate and alternate voting delegate for the 2009 GMA Business Meeting being held during the Annual Convention June 22, 2009.

Appointment of Grif Chalfant as voting delegate and Holly Walquist as alternate voting delegate for the 2009 GMA Business Meeting being held during the Annual Convention June 22, 2009.

A motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20090465 Voting Delegates - MEAG Annual Business Meeting

Discussion of designation of voting member and alternate voting member for MEAG annual business meeting to be held at the Ritz-Carlton, Amelia Island, FL, July 13-15, 2009

Appointment of William B. Dunaway as voting member and Robert Lewis as alternate voting member for MEAG annual business meeting to be held at the Ritz-Carlton, Amelia Island, FL, July 13-15, 2009.

A motion was made by Council member Pearlberg, seconded by Council member Chalfant, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20090355 MRC Board Appointment

Appointment of Marietta Redevelopment Corporation (MRC) Board member.

A motion was made by Council member Goldstein, seconded by Council member Chalfant, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20090376 2005 SPLOST Interest Proceeds

Review and approval of an Ordinance to allocate 2005 SPLOST interest proceeds.

A motion was made by Council member Walquist, seconded by Council member Chalfant, that this matter be Referred to the PUBLIC WORKS COMMITTEE. The motion carried by the following vote:

Vote: 6 - 0 - 0

Referred

20090387 Tower Road Exchange Agreement

Motion to approve Multi-Party Exchange Agreement among the City of Marietta, Tower Partners, LLC, WellStar Health System, Inc. and Kennestone Hospital, Inc., subject to the approval of all other parties thereto and contingent upon all parties carrying out the requirements set forth in the agreement.

Motion to move this matter forward with amendments by the City Attorney, as discussed.

A motion was made by Council member Walquist, seconded by Council member Goldstein, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Council Agenda Non Consent

20090389 Portable Toilets

Review of examples of portable toilets for contract or purchase for use at city parks.

Discussion was held. Staff was directed to move forward with the purchase and installation of portable toilets for use at city parks.

This matter was Discussed.

20090448 Draft Agenda

Review of the Draft Agenda for the May 13, 2009, City Council Meeting.

-under Minutes: Agenda item 20090399 was added to the consent agenda.

-under Appointments: Agenda item 20090438 was added to the consent agenda.

-under Ordinances: Agenda items 20090421, 20090427, 20090434 and 20090436 were removed from the agenda.

-under Judicial: Agenda item 20090241 was added to the consent agenda.

-under Other Business: Agenda item 20090173 was amended to read, "Motion to approve with the exception of agenda item 20090412, which will be tabled until the next regular City Council meeting."

This matter was Discussed.

20090466 Executive Session

Executive Session to discuss legal, personnel and/or real estate matters.

A motion was made in open session by Council member Goldstein, seconded by Council member Pearlberg, to enter an Executive Session to discuss real estate acquisition and personnel matters. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, and Philip M. Goldstein

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).

A motion was made in open session by Council member Goldstein, seconded by Council member Chalfant, to close the Executive Session. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, and Philip M. Goldstein

The following motions were added to the Council agenda.

A motion was made by Council member Goldstein, seconded by Council member Pearlberg, to accept donations of construction and driveway easements for the Kennesaw Avenue Improvements project for the following properties:

125 Atwood Drive - with stipulation by owner that the existing modular block wall be repaired by city during project.

299 St. Mary's Lane

285 Kennesaw Ave - Stipulation by owner that entrance and retaining wall at right-of-way not be disturbed.

288 Kennesaw Ave

293 Kennesaw Ave

303 Kennesaw Ave - Stipulation that no construction vehicle park on grass during construction

306 Kennesaw Ave - Stipulation that any damage to landscape/hardscape be replaced with like kind of material.

316 Kennesaw Ave - Stipulation that any damage to landscape/hardscape be replaced with like kind of material.

324 Kennesaw Ave - Stipulation that any damage to landscape/hardscape be replaced with like kind of material.

334 Kennesaw Ave - Stipulation that any damage to landscape/hardscape be replaced with like kind of material.

315 Kennesaw Ave - Stipulation that cherry tree on the corner not be disturbed.

345 Kennesaw Ave

383 Kennesaw Ave - Stipulation that brick apron and any damaged brick be replaced with like kind of material.

435 Kennesaw Ave - Stipulation that existing fence and retaining wall not be disturbed.

471 Kennesaw Ave

601 Oakledge Drive

The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

A motion was made by Council member Goldstein, seconded by Council member Walquist, to accept the donations from the Marietta Housing Authority for portions of 427 Aviation Rd for the Lake Drive Intersection Improvements project. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

A motion was made by Council member Goldstein, seconded by Council member Lewis, to authorize condemnation for property located at 591 Frasier Street, owned by Robert Winch. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

A motion was made by Council member Goldstein, seconded by Council member Walquist, to authorize condemnation for property located at 932 Roswell Street, owned by William A. Spinks. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

A motion was made by Council member Walquist, seconded by Council member Goldstein, to authorize condemnation for property located at 704 Fairgate Road, owned by Attic Self Storage. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

ADJOURNMENT:

The meeting was adjourned at 7:19 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____